Amendment and Response to Office Action mailed November 26, 2007
Filed February 18, 2008

REMARKS

Claims 1-8, 12-22, 26-28, and 36-38 are currently pending.   Applicant has cancelled claims 23-26. Applicant has added new Claims 36-43. In addition, pursuant to the Restriction Requirement mailed May 17, 2007, and Applicant's response to Restriction Requirement filed June 8, 2007, Claims 2-6, 8, 12-14, 23-26, and 29-35 were withdrawn. No new matter was added.

Amendments to Drawings:

In the office action, Drawings 1 and 3-6 were objected to because all diagrammatic blocks and features in Figures 1 and 3-6 were required to be distinctly labeled to indicate contents or function with legends. Applicant has amended Figures 1, 2, 7 and 8 to include labels as required. Applicant was unable to identify diagrammatic blocks in Figures 3-6 which were not distinctly labeled, and respectfully requests clarification of any diagrammatic blocks for which labeling is required in Figures 3-6. Applicant has also amended Figures 3, 5 and 8 to correct Scrivener's errors. A replacement sheet and marked-up copy annotated to show the amendments to the drawings are provided herein. No new matter was added.

Remarks regarding 35 U.S.C. § 102(e):

In an Office Action dated November 26, 2007, Claims 1, 7, 15-22, 27 and 28 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Pat. Pub. 2006-0274829 (herein after "Siemens").

Applicant traverses the rejection of the above rejected claims because Siemens does not teach each and every limitation of the respective claims.

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1.   **Claim 15**

Claim 15 describes the limitations "the sync and frame merge module also configured to switch between the first and second streams of video data on a frame-by-frame basis to generate a single contiguous stream of common video data."

Applicant submits that as described in paragraph [0032] of the specification, the term "'contiguous stream of video data' or 'contiguous stream of common video data' **is defined as** video data resembling a stream of video data from a single video data source, such as a camera." As provided in MPEP § 2173.05(a), "When the specification states the meaning that a term in the claim is intended to have, the claim is examined using that meaning, in order to achieve a complete exploration of the applicant's invention and its relation to the prior art." *See* also, *In re Zletz*, 893 F.2d 319, 13 USPQ2d 1320 (Fed. Cir. 1989).

Siemens Fig. 9 depicts, and Siemens, paragraphs [0085]-[0086] describes, capture systems 902a, 902b, 902c through 902n respectively producing a MPEG 1 stream, a MPEG 2 steam, a MPH.264 steam, and a MPEG 4 stream, which are all compressed video streams. Siemens paragraph [0088] states "The multiplexer 910 is configured to receive multiple video streams and combine them into a synchronized or multi-channel content stream 912." Siemens further states "The multi-channel content stream 912 is buffered to a hard disk using a sliding window 914, where video segments are added to the back of previously stored video segments. The multi-channel content stream 912 is separated into disk segments at 1028." However, Siemens fails to teach or suggest that the multi-channel content stream 912 is a contiguous stream of common video data as defined by the Applicant and described in Claim 15.

In addition, Siemens fails to teach or suggest that multiplexer 910 is "configured to switch between the first and second streams of video data on a frame-by-frame basis," as described in Claim 15. Instead, Siemens merely states that "The multiplexer 910 is configured to receive multiple video streams and combine them into a synchronized or multi-channel content stream 912." As a result, Siemens fails to teach or suggest the limitations "switching between the first and second streams of video on a frame-by-frame basis."

Claim 15 also describes the limitations "a sync and frame merge module coupled with the first and second video cameras, wherein the sync and frame merge module is configured to enable generation of the second stream of video data in substantial synchronization with generation of the first stream of video data by establishment of a constant phase relationship between the first and second streams of video data." (Emphasis added)

The office action asserts that "figures 1, 2, 4, 8 and 9 disclose ... a sync and frame merge module 910 ... configured to enable generation of the second stream of video data in substantial synchronization with generation of the first stream of video data by establishment of a constant phase relationship 906 between the first and second streams of video data." *See*, Office Action, page 3, item 5.

To the contrary, Siemens describes, multiplexer 910 receives the already generated compressed video signal 906 from each of the splitters 904. *See*, paragraph [0086]. As a result, Siemens describes multiplexer 910 performing post-generation activity. In other words, because multiplexer 910 acts on the compressed video streams 906, the multiplexer 910 fails "to enable generation of the second stream of video data in substantial synchronization with generation of the first stream of video data," as described in Claim 15.

Moreover, paragraph [0085] of Siemens describes, "each capture system 902a, 902b, 902c through 902n has a separate control system 903a, 903b, 903c through 903n, respectively." (Emphasis added). As a result, Siemens describes that each capture system is independent of the other respective video capture systems. Siemens Fig. 9 depicts, and Siemens, paragraphs [0085]-[0086] describes, capture systems 902a, 902b, 902c through 902n respectively producing a MPEG 1 stream, a MPEG 2 steam, a MPH.264 steam, and a MPEG 4 stream, which are all compressed video streams. As depicted in Fig. 9 and described in paragraph [0085], Siemens describes "splitters 904a-904n (collectively 904) are utilized to split the video and audio content from the digital video signals 816 into a video signal 906 and audio signal 908.... As shown, each splitter is configured to communicate solely with a respective capture device." As a result, Applicant submits that Siemens describes that the compressed video signals 906 generated by each respective splitter are not controlled or governed by multiplexer 910.

Moreover, Claim 15 describes the limitations of "the video processing module is configured to compress the single contiguous stream of common video data." However, as

discussed above, the multiplexer 910 received previously compressed video streams. Siemens does not teach or suggest that multiplexer 910 compresses the multi-channel content stream 912, which the office action identifies as the contiguous steam of common video data. *See*, office action, page 3, item 5. Thus, Siemens fails to teach or suggest that the single contiguous stream of video data is compressed by the video processing module, as described by Claim 15.

In addition, Siemens fails to teach or suggest "establishment of a constant phase relationship" between the generated streams either before or after compression of the video data. Siemens is devoid of any teaching or suggestion that the generation of the video streams is synchronized to one another or that synchronization is established "by establishment of a constant phase relationship between the first and second streams of video data," as described in Claim 15. Siemens fails to describe any phase relationship between the video signal 906, compressed video streams 816a-n, or video cameras 808a and 808b. Thus, Siemens fails to teach or suggest the limitation "to enable generation of the second stream of video data in substantial synchronization with generation of the first stream of video data ... **by establishment of a constant phase relationship** between the first and second streams of video data" as described in Claim 15.

Thus, for at least these reasons, Siemens fails to teach or suggest each and every limitation of Claim 15. As a result, Siemens fails to anticipate Claim 15 or the dependent claims there from. Therefore, Applicant respectfully requests withdrawal of the rejections of Claim 15-22 and 27-28.

2.   **Claim 1**

Claim 1 describes the limitations "a video controller coupled with the video cameras, wherein the video controller is configured to substantially synchronize and then merge the video data generated by each of the video cameras to form a single contiguous stream of common video data," which Siemens fails to teach or suggest.

Siemens does not teach or suggest the limitations "form a single contiguous stream of common video data," as described in Claim 1 and defined in Applicant's specification. Thus, Applicant traverses the office action's identification of element 912 of Siemens as "a single contiguous stream of common video data," as described in Claim 1.

Furthermore, Siemens paragraph [0088] states "The multiplexer 910 is configured to receive multiple video streams and combine them into a synchronized or multi-channel content stream 912." Siemens further states "The multi-channel content stream 912 is buffered to a hard disk using a sliding window 914, where video segments are added to the back of previously stored video segments. The multi-channel content stream 912 is separated into disk segments at 1028." Thus, Siemens does not teach or suggest that the multi-channel content stream 912 is a single contiguous stream of common video data as described in Claim 1 and defined by the Applicant.

As discussed above, paragraph [0085] of Siemens describes that "each capture system 902a, 902b, 902c through 902n has a separate control system 903a, 903b, 903c through 903n, respectively." (Emphasis added). As a result, Siemens describes that each capture system is independent of the other respective video capture systems. In addition, multiplexer 910 receives the previously generated data streams 906. Thus, Siemens is devoid of any teaching or suggestion that during generation of the first and second video streams the multiplexer 910 "is configured to substantially synchronize ... the video data generated by each of the video cameras," as described by Claim 1. In further contrast, Claim 1 describes "a video controller coupled with the video cameras, wherein the video controller is configured to substantially synchronize and then merge the video data generated by each of the video cameras to form a single contiguous stream of common video data."

For at least these reasons, Siemens does not anticipate Claim 1 because Siemens does not teach each and every limitation as described in Claim 1. Therefore, Applicant requests withdrawal of the rejection and further consideration of Claim 1.

3.   **Claim 7**

Claim 7 describes the limitations "a video controller coupled with the video cameras, wherein the video controller is configured to direct substantially synchronized generation of the video data in a constant phase relationship by each of the video cameras."

Siemens paragraph [0085] describes, "each capture system 902a, 902b, 902c through 902n has <u>a separate control system</u> 903a, 903b, 903c through 903n, respectively." As a result,

Siemens describes that each capture system is independent of the other respective video capture systems. Siemens Fig. 9 depicts, and Siemens, paragraphs [0085]-[0086] describes, capture systems 902a, 902b, 902c through 902n respectively producing a MPEG 1 stream, a MPEG 2 steam, a MPH.264 steam, and a MPEG 4 stream, which are all compressed video streams. Siemens fails to describe that the multiplexer 910 is "configured to direct substantially synchronized generation of the video data ... by each of the video cameras," as described in Claim 7.

Furthermore, Siemens fails to teach or suggest that multiplexer 910 directs the capture systems 902a-n. As a result, Siemens fails to teach or suggest the limitations of "a video controller configured to direct the substantially synchronous generation of the video data" or that the video data generated by each of the cameras are substantially synchronized to have "a constant phase relationship," as described in Claim 7.

In addition, Siemens is devoid of any teaching or suggestion that there is a constant phase relationship between the first and second video streams. In contrast, Claim 7 describes "generation of the video data in **a constant phase relationship**." As discussed above, Siemens is devoid of any description of "generation of the video data in a constant phase relationship."

Also, as depicted in Fig. 9 of Siemens, because the identified multiplexer 910 operates on the already generated and compressed video streams, Siemens fails to teach or suggest that the multiplexer 910 "is configured **to direct substantially synchronized generation of the video data** in a constant phase relationship by each of the video cameras," as described in Claim 7. Moreover, Siemens does not teach or suggest "a single contiguous stream of common video," as previously discussed and described in Claim 7.

As a result, Applicant submits that Siemens fails to anticipate Claim 7 and respectfully requests withdrawal of the rejection of Claim 7.
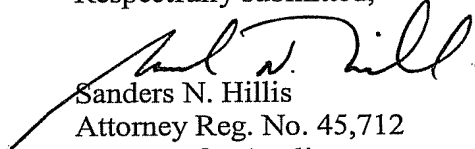
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Conclusion:

For at least the above reasons, Siemens fails to teach or suggest each and every limitation of Claim 1, 7 and 15. Thus, Applicant believes that the present pending claims of this application are allowable and respectfully requests the Examiner to issue a Notice of Allowance for this application.
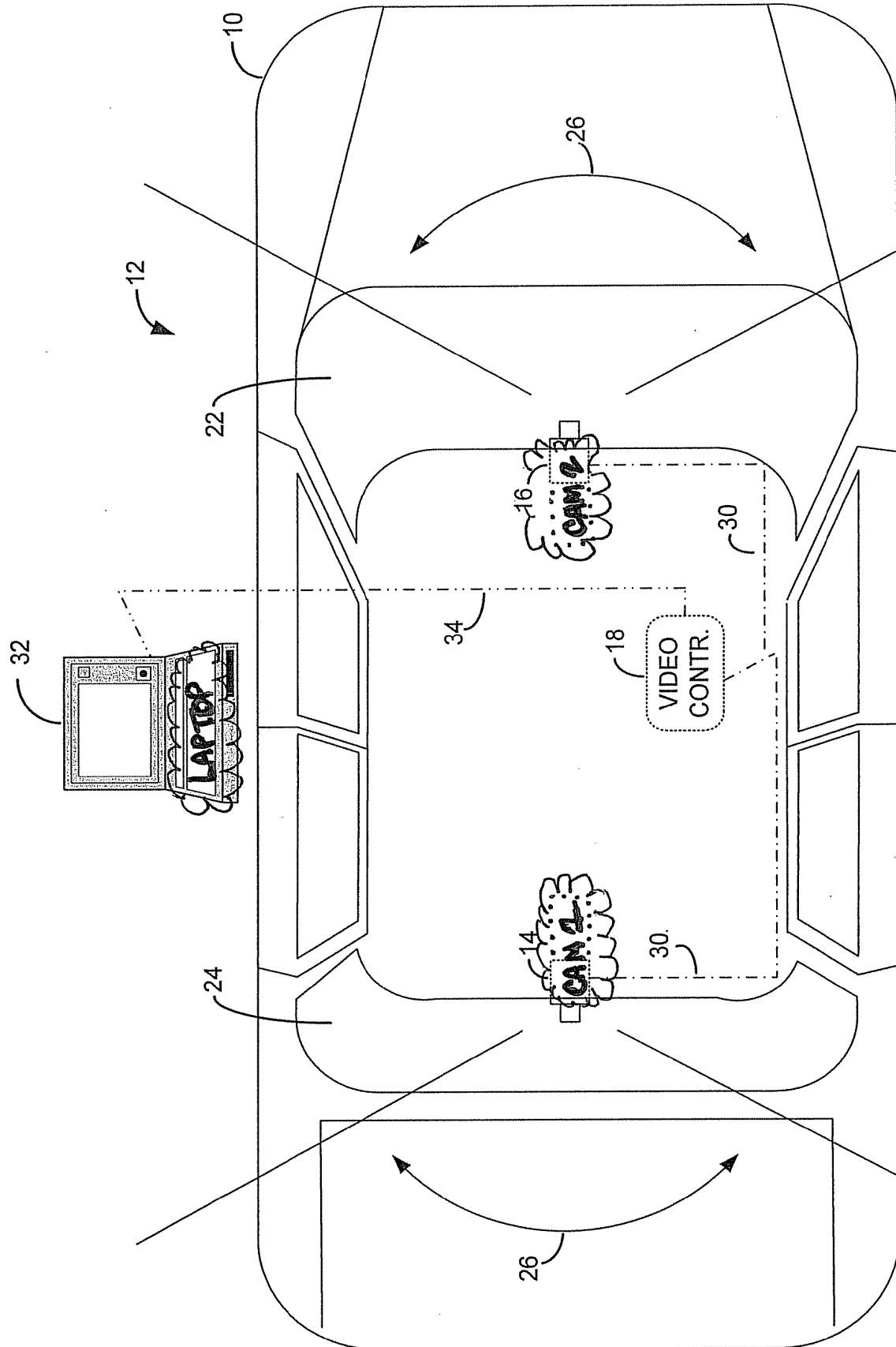
Should the Examiner deem a telephone conference to be beneficial in expediting allowance/examination of this application, Applicant invites the Examiner to call the undersigned attorney at the telephone number listed below.

Respectfully submitted,

Sanders N. Hillis
Attorney Reg. No. 45,712
Attorney for Applicant

SNH/dlh/sev

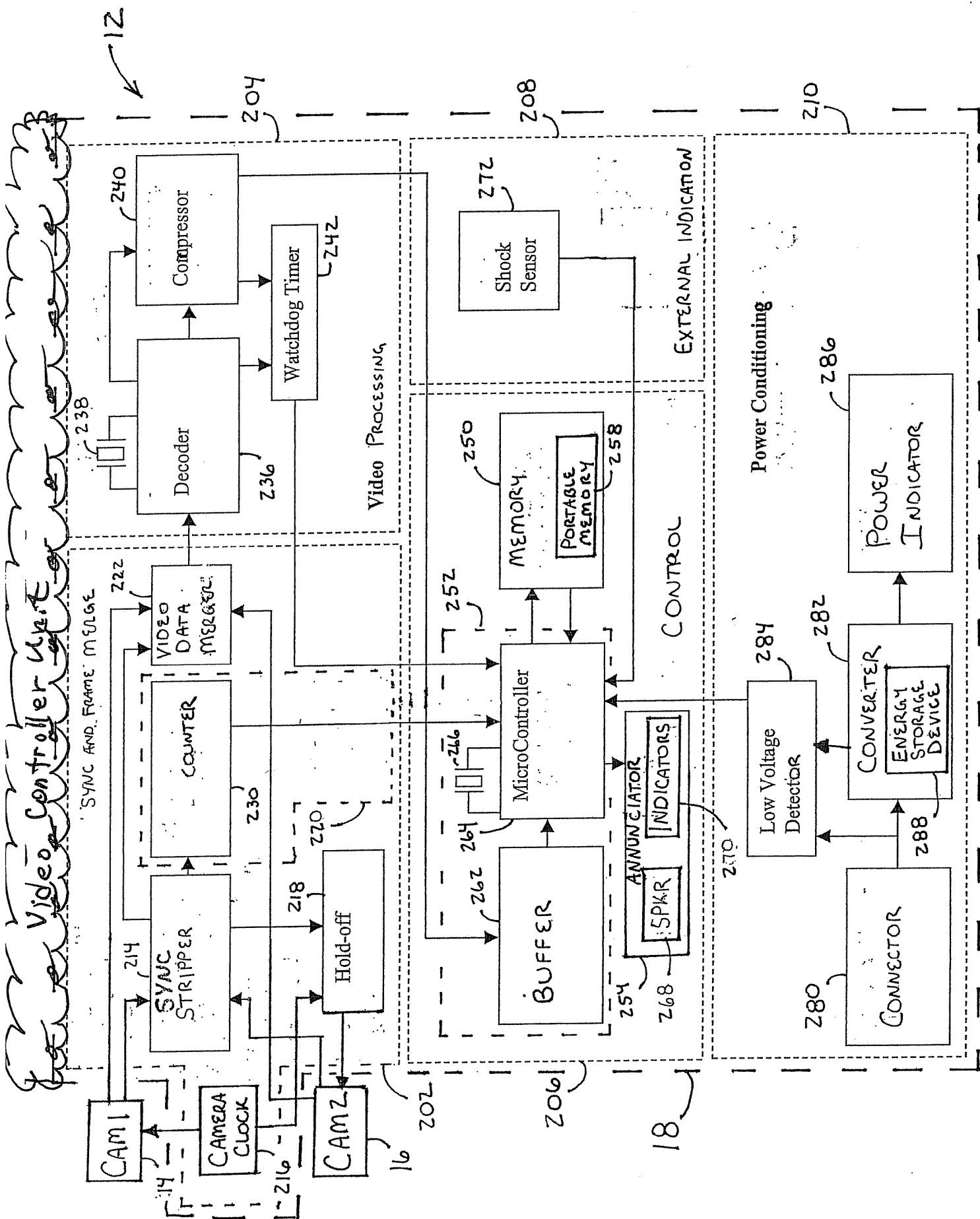BRINKS HOFER GILSON & LIONE
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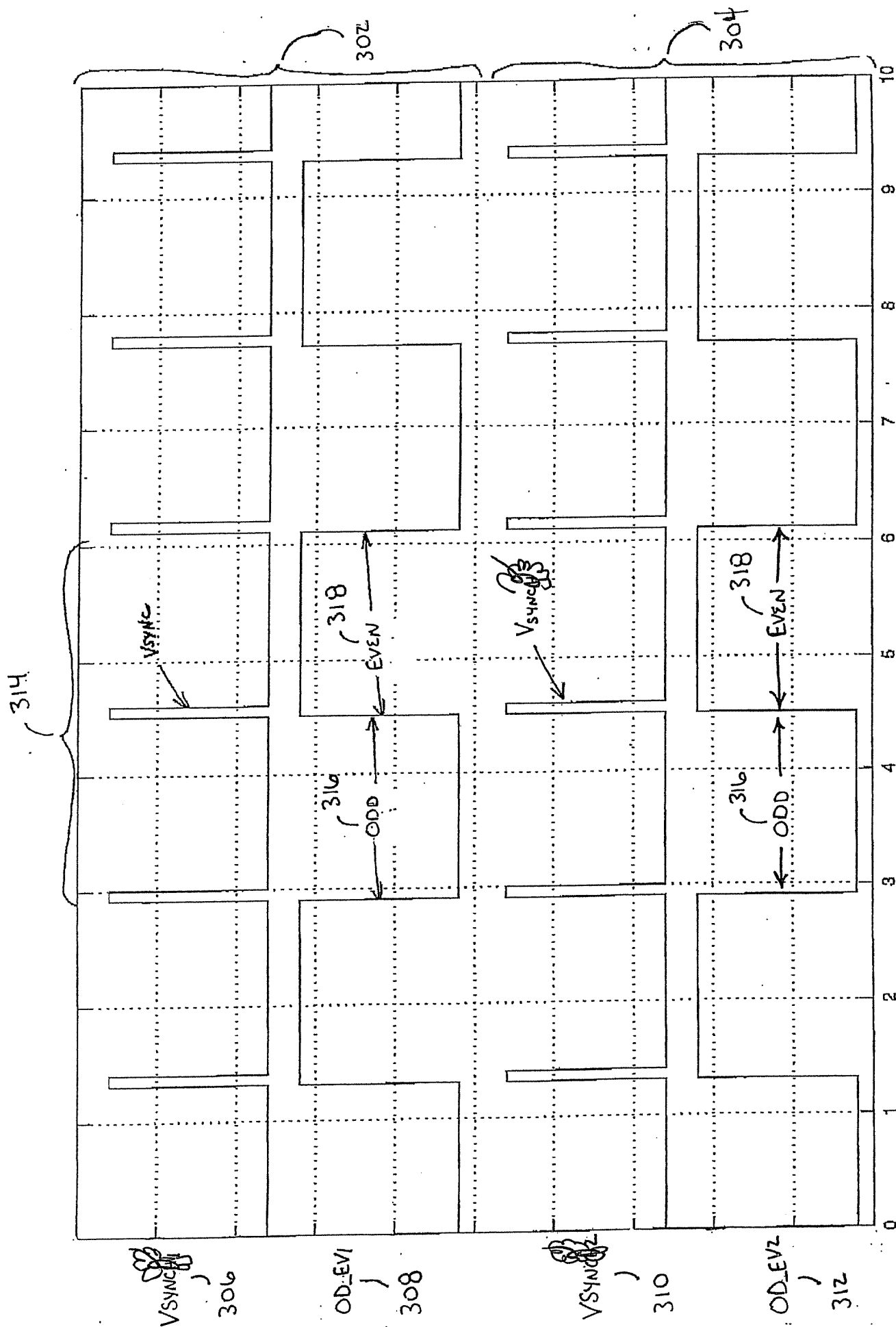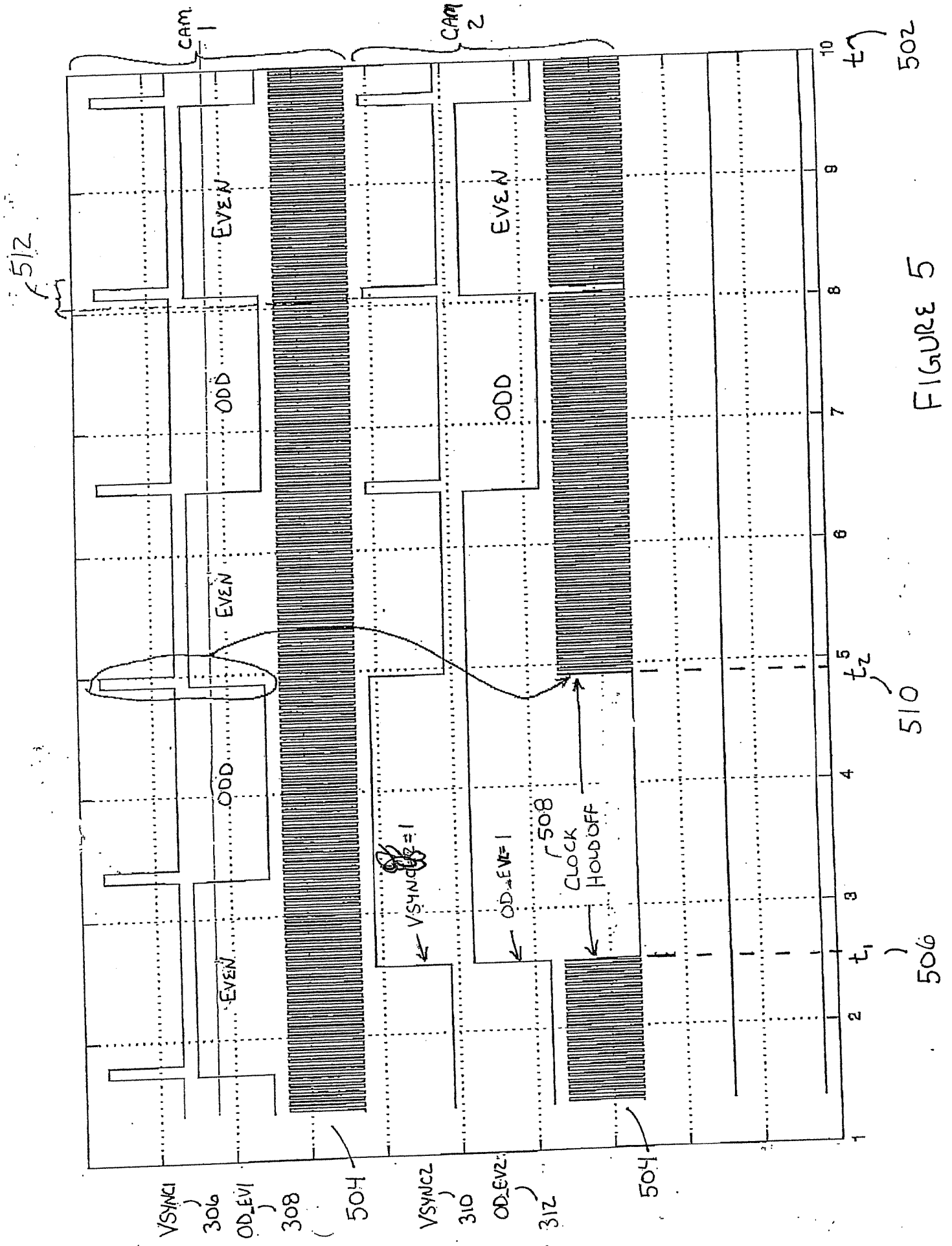Telephone: 317-636-0886
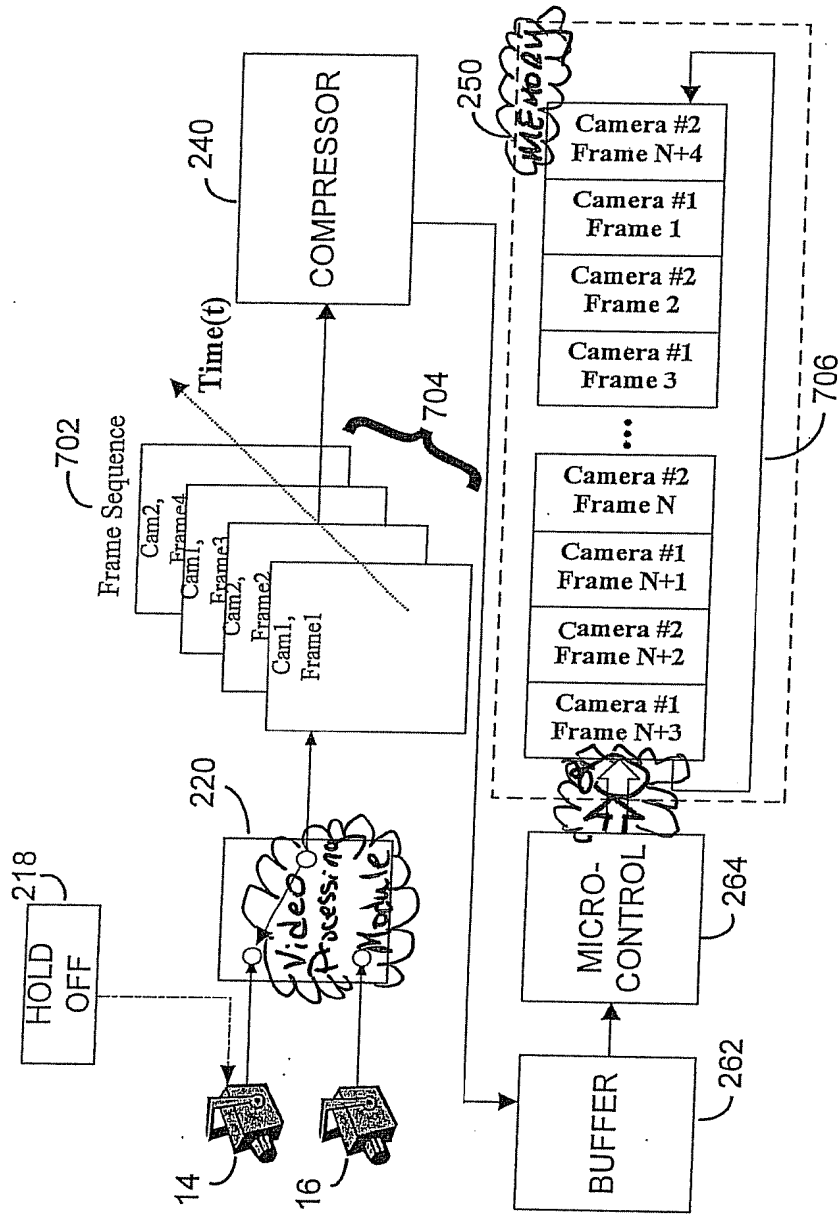Facsimile: 317-634-6701

FIG. 1

FIGURE 2

FIGURE 3

FIGURE 5

FIG. 7

Struck the Video Controller Unit

12

204

SYNC AND FRAME MERGE

Video Processing

240

Compressor

Watchdog Timer

804

VIDEO DATA MERGER

802

Hold-off

208

EXTERNAL INDICATION

Shock Sensor

250

MEMORY

PORTABLE MEMORY

258

252

246

MicroController

264

262

BUFFER

CONTROL

ANNUNCIATOR

INDICATORS

SPKR

254

206

Power Conditioning

210

POWER INDICATOR

Low Voltage Detector

CONVERTER

ENERGY STORAGE DEVICE

CONNECTOR

CAM1

CAMERA CLOCK

214

216

CAM2

16

202

18

FIGURE 8